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SEP 24 2004

OFFICE OF PETITIONS

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(Attorney for Applicant)

In re Application of
Sanford M. Stevenson
Application No. 09/652,272
Filed: August 31, 2000
Attorney Docket No. 1843-A-DIV-CIP-DIV

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: DECISION DISMISSING PETITION
:
:

On July 31, 2001, a petition under 37 CFR 1.292 to institute public use proceedings against the claims in the above-identified application was filed.

On April 12, 2004, a "Notice of Intent to Dismiss Petition" was mailed stating that the petition failed to comply with the requirements of 37 CFR 1.292. Petitioner was given TWO MONTHS from the date of the Notice to supply the supporting affidavits or declarations required by 37 CFR 1.292. The time period set by the Notice was not extendable under 37 CFR 1.136(a) or (b).

Since no response to the Notice has been filed, the petition filed July 31, 2001, to institute public use proceedings is dismissed.

Receipt is acknowledged of the paper entitled "Further Response to Requirement for Information" filed by applicant on June 18, 2004.

The application is being returned to Technology Center Art Unit 1724.

Telephone inquiries specific to this matter should be directed to Eugenia Jones, Senior Legal Advisor, at (703) 306-5586.

Fred A. Silverberg
Fred A. Silverberg
Senior Legal Advisor
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy



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